

HOUSE No. 110

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act banning conversion therapy.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Shawn Dooley

9th Norfolk

Michael J. Soter

8th Worcester

HOUSE No. 110

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 110) of Shawn Dooley and Michael J. Soter for legislation to prohibit practices by health care providers that attempt to change sexual orientation or gender identity. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act banning conversion therapy.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the General Laws is hereby amended by adding following
2 new section:-

3 “Section 275. (a) As used in this section, the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 "Gender identity", a person's gender-related identity, appearance or behavior, whether or
6 not that gender-related identity, appearance or behavior is different from that traditionally
7 associated with the person's physiology or assigned sex at birth. Gender-related identity may be
8 shown by providing evidence including, but not limited to, medical history, care or treatment of
9 the gender-related identity, consistent and uniform assertion of the gender-related identity or any
10 other evidence that the gender-related identity is sincerely held as part of a person's core identity;
11 provided, however, that gender-related identity shall not be asserted for any improper purpose.

12 “Therapy provider”, (1) any health care professional licensed under this chapter,
13 including but not limited to, any physician, psychologist, social worker, nurse, or allied mental
14 health and human services professional, including marriage and family therapist, rehabilitation
15 counselor, mental health counselor, or educational psychologist; or (2) Any unlicensed person
16 portraying or otherwise offering the appearance of a professional who offers or seeks to offer
17 advice to another person on their mental or physical wellbeing.

18 “Sexual orientation”, having an orientation for or being identified as having an
19 orientation for heterosexuality, bisexuality, or homosexuality.

20 “Sexual orientation and gender identity change efforts”, any practice by a health care
21 provider that attempts or purports to impose change of an individual’s sexual orientation or
22 gender identity, including efforts to change behaviors or gender expressions or to eliminate or
23 reduce sexual or romantic attractions or feelings toward individuals of the same sex , by
24 subjecting a client or patient to the use or application of any device, substance, odor, or force that
25 causes or is intended to cause pain, discomfort, or unpleasant sensations to the client or patient.

26 “Sexual orientation and gender identity change efforts” shall not include practices that:

27 (1) (i) provide acceptance, support, and understanding of an individual’s sexual
28 orientation, gender identity, or gender expression; (ii) facilitate an individual’s coping, social
29 support, and identity exploration and development; (iii) are sexual orientation-neutral or gender
30 identity-neutral including interventions to prevent or address unlawful conduct or unsafe sexual
31 practices; or (iv) utilizes discussion alone; and

32 (2) do not attempt or purport to impose change of an individual’s sexual orientation or
33 gender identity.

34 (b) A therapy provider shall not advertise for or engage in sexual orientation and gender
35 identity change efforts with a patient less than 18 years of age.

36 (c) Any therapy provider who violates this section shall be such subject to discipline by
37 the appropriate licensing board, which may include suspension or revocation of license.

38 (d) Any therapy provider who violates this section shall be considered to have violated
39 section 2 of chapter 93A. Any such claim brought under this section shall be subject to sections
40 5A and 7 of chapter 260.

41 (e) Any therapy provider who violates this section shall be considered to have violated
42 section 13L of chapter 265.”